

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JULLIAN R. PHILLIPS,

Petitioner,

v.

STATE OF OKLAHOMA, et al.,

Respondents.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. CIV-24-939-D

**ORDER**

Before the Court is the Report and Recommendation [Doc. No. 13], issued by United States Magistrate Judge Amanda Maxfield Green pursuant to 28 U.S.C. § 636(b)(1). The magistrate judge recommends that Petitioner’s IFP application [Doc. No. 11] be denied because Petitioner has sufficient financial resources to pay the filing fee, as reflected by the average of monthly deposits into Petitioner’s institutional account.

Previously, the Court consolidated three cases into the present action and ordered that “[a]ll of the allegations, orders, and filings in [CIV-24-950-D, CIV-24-1140-D, and CIV-24-1151-D] are [] deemed filed in the consolidated action, CIV-24-939-D.” [Doc. Nos. 5, 16, 17]. In recommending that Petitioner’s IFP application be denied in this action, the magistrate judge also reviewed Petitioner’s IFP application filed in CIV-24-950-D. Further, the undersigned judge has reviewed Petitioner’s IFP application filed in CIV-24-1140-D and finds that it is nearly identical to the IFP application filed in this action.<sup>1</sup>

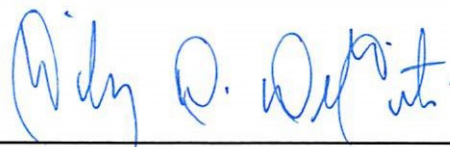
---

<sup>1</sup> The IFP application filed in CIV-24-1140-D reported \$0.21 less in Petitioner’s institutional account, but it reflected higher average monthly deposits than those reported in Petitioner’s IFP application filed in CIV-24-939-D.

Upon review of the file and noting no timely objection to the findings and recommendations of the magistrate judge, the Court adopts the Report and Recommendation [Doc. No. 13], in its entirety.

For the reasons stated therein, Plaintiff's Motion for Leave to Proceed *in forma pauperis* [Doc. No. 11] is **DENIED**.<sup>2</sup> If Plaintiff's filing fee is not received by the Clerk of the Court on or before February 12, 2025, this action will be dismissed without prejudice.

**IT IS SO ORDERED** this 22<sup>nd</sup> day of January, 2025.



---

TIMOTHY D. DeGIUSTI  
Chief United States District Judge

---

<sup>2</sup> For the same reasons, Plaintiff's IFP applications filed in CIV-24-950-D and CIV-24-1140-D, which were deemed filed in CIV-24-939-D, are denied.